

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO THE RULES
AND NOTICE OF PUBLIC HEARING**

**Chapter 250-5 Personal Licensure, Rule 250-5-.03. Licensure by Reciprocity or
Endorsement: Embalmer**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Funeral Service (hereinafter "Board") proposes an amendment to Chapter 250-5 Personal Licensure, Rule 250-5-.03. Licensure by Reciprocity or Endorsement: Embalmer (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's website page at <http://sos.ga.gov/index.php/licensing/plb/30>, or by contacting the Georgia State Board of Funeral Service at 478-207-2440.

Any interested party affected by the rule may present written comments to the Board no later than close of business June 5, 2018. Written comments must be legible, signed, and should contain contact information from the maker (address, telephone number, email address, etc.). Written comments should be addressed to Lisa W. Durden, Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Funeral Service, 237 Coliseum Drive, Macon, Georgia 31217; fax (866) 888-1308. Oral statements presented during the public hearing should be concise and will be limited to five (5) minutes per person.

The Board voted to adopt this Notice of Intent at its April 10, 2018 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-40; 43-18-42; and 43-18-46. Finally, the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-40; 43-18-42; and 43-18-46 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed or owned and operated in the field of funeral service.

A public hearing is scheduled to begin at 1:00 p.m. on June 12, 2018, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

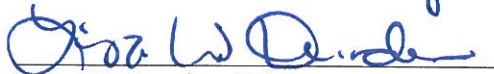
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The proposed rule amendment will be considered for adoption by the Georgia State Board of Funeral Service at its meeting scheduled to begin 1:00 p.m. on June 12, 2018, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Funeral Service has the authority to adopt the proposed rule amendment to 250-5-.03 pursuant to authority contained in O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-40; 43-18-42; and 43-18-46.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 2 day of May 2018.



Lisa W. Durden, Director
Professional Licensing Boards

Posted: 5/2/2018

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SYNOPSIS OF PROPOSED CHANGES TO THE RULES
Chapter 250-5 Personal Licensure, Rule 250-5-.03. Licensure by Reciprocity or
Endorsement: Embalmer

Purpose: The purpose of this amendment is to remove archaic words, correct grammatical errors, and to restructure some sentences to make the rule more easily understood.

Main Features: The main features of this amendment are removal of archaic reference to a "written" examination, making the word "law" plural, and restructuring the sentences for requirements to make this more easily understood

DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE RULE
Chapter 250-5 Personal Licensure, Rule 250-5-.03. Licensure by Reciprocity or
Endorsement: Embalmer

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Chapter 250-5 Personal Licensure

Rule 250-5-.03. Licensure by Reciprocity or Endorsement: Embalmer

The Board may consider licensure by reciprocity without the requirement of taking the National Examination and upon payment of the appropriate fee, to any person licensed as an embalmer by another State, territory, or country, or by the District of Columbia.

- (1) An applicant for licensure as an embalmer by reciprocity must successfully pass a an ~~written~~ examination approved by the Board which tests knowledge of the ~~law~~ laws of this state relating to funeral directors and ~~must either:~~
- (a) must satisfy the requirements listed in Rule 250-5-.01 above; or
 - (b) must hold a valid embalmer's license in a jurisdiction whose requirements for licensure as an embalmer are substantially equal to the requirements for licensure as an embalmer in Georgia; and
 - (c) an embalmer licensed by endorsement cannot be issued a license on the basis of another reciprocal or endorsement license.
 - (d) ~~or, an~~ An applicant who cannot meet the requirements of (a) or (b) in this rule may be issued a license as an embalmer by endorsement upon submission of documentation from an employer attesting that the applicant has been engaged in the active practice of funeral service as a licensed embalmer and funeral director for a minimum of three (3) years immediately preceding the submission of an application for licensure in Georgia, in accordance with the provisions of O.C.G.A. § 43-18-42(a)(2). For the purposes of this rule, "immediately

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preceding" shall mean that the applicant must submit the appropriate application to the Board office within six (6) months of leaving the state in which he or she has been actively engaged in the active practice of funeral service.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-40; 43-18-42; and 43-18-46

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- (1) An applicant for licensure as an embalmer by reciprocity must successfully pass an examination approved by the Board which tests knowledge of the laws of this state relating to funeral directors and:
 - (a) must satisfy the requirements listed in Rule 250-5-.01 above; or
 - (b) must hold a valid embalmer's license in a jurisdiction whose requirements for licensure as an embalmer are substantially equal to the requirements for licensure as an embalmer in Georgia; and
 - (c) an embalmer licensed by endorsement cannot be issued a license on the basis of another reciprocal or endorsement license.
 - (d) An applicant who cannot meet the requirements of (a) or (b) in this rule may be issued a license as an embalmer by endorsement upon submission of documentation from an employer attesting that the applicant has been engaged in the active practice of funeral service as a licensed embalmer and funeral director for a minimum of three (3) years immediately preceding the submission of an application for licensure in Georgia, in accordance with the provisions of O.C.G.A. § 43-18-42(a)(2). For the purposes of this rule, "immediately preceding" shall mean that the applicant must submit the appropriate application to the Board office within six (6) months of leaving the state in which he or she has been actively engaged in the active practice of funeral service.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-40; 43-18-42; and 43-18-46